

41. (New) A fluorescent particle according to claim 30, wherein said first compound is silicon phthalocyanine bis(dimethylhexylvinylsilyloxi~~de~~), and said second compound is silicon 2,3-naphthalocyanine bis(dimethylhexylvinylsilyloxi~~de~~).

42. (New) A fluorescent particle according to claim 30, wherein said first compound is silicon phthalocyanine bis(dimethylhexylvinylsilyloxi~~de~~), and said second compound is silicon [di(1,6-diphenylnaphthalocyanine)] diphthalocyanine bis(dimethylhexylvinylsilyloxi~~de~~).

43. (New) A fluorescent particle according to claim 30, wherein said particle further comprises an antibody.

44. (New) A fluorescent particle according to claim 30, wherein said particle further comprises a nucleic acid.

45. (New) A fluorescent particle according to claim 30, wherein the size of said particle is between 0.1 nm and 5000 nm.

46. (New) A fluorescent particle according to claim 37, wherein the size of said particle is between 1 nm and 1000 nm.

#### REMARKS

The Examiner has divided the claims into four groups, requiring restriction of the claims to a single group for examination on the merits. These groups are:

- I: Claims 1-22;
- II: Claims 23-27;
- III: Claim 28; and
- IV: Claim 29.

In response, Applicants have cancelled all pending claims, and entered new claims 30-46 herein. These claims include a single independent claim, drawn to fluorescent particles comprising specific compounds. Support for particles comprising bis(dimethylhexylvinylsilyloxi~~de~~)- and bis(trihexylsilyloxi~~de~~)-substituted compounds, and for the specific compound pairs recited in the dependent claims, can be found in the specification as filed, e.g., on page 11, lines 14-16; page 15, line 18, through page 16, line 1; and particles 89, 90,

91, 96, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110 in Table 1. Support for particles comprising antibodies and nucleic acids, and particles having specific sizes can be found in the specification as filed, e.g., on page 29, line 29, through page 31, line 19.

The Examiner has also requested election of a single species for prosecution if no generic claim is deemed allowable. To the extent that a species election is also required in view of the newly added claims, applicants elect the particle of claim 42. Specific support for such a particle can be found, e.g., in particle 107 of Table 1.


In view of the foregoing remarks, Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,  
FOLEY & LARDNER

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